

**UNITED STATES DISTRICT COURT**

# **DISTRICT OF NEVADA**

\* \* \*

## SECURITIES & EXCHANGE COMMISSION,

Plaintiff,

VS.

BANC DE BINARY, *et al.*,

### Defendants.

2:13-cv-993-RCJ-VCF

## **ORDER DETERMINING ELECTRONIC SEARCH TERMS AND SCOPE OF SEARCHES**

Before the court are (1) Parties' Joint Submission regarding Electronic Search Terms (#107) and (2) Plaintiff's Report to Magistrate Judge (#108). In the context of the ongoing discovery issues which the court has been facing, balancing the time and financial burdens occasioned by the discovery required in this case against the need for plaintiff to have some reasonable assurance that discoverable documents are located and produced by the defendants,

**IT IS HEREBY ORDERED** that defendants' production of documents will proceed as follows:

1. On or before March 20, 2015, defendants will comply with all previous discovery orders entered in this case, to the extent that compliance does not require electronic searches of data bases;
  2. All data bases within defendants' possession, custody or control which contain defendants' internal business records, as well as internal and external communications, will be searched using the names contained in defendants "U. S. Client List," and the search terms set forth in Attachment A;
  3. All documents containing one or more of these search terms may be reviewed for relevance to the subject matter of this action, as well as applicable privileges;

4. By noon Pacific Time on every Friday, beginning March 20, 2015, and continuing through May 1, 2015, defendants must produce to plaintiff non-privileged documents relevant to the subject matter of this action, which have been identified and reviewed according to these procedures.

5. Also by noon Pacific Time on every such Friday, defendants must produce a Privilege Log and a Log of Irrelevant Documents, for all documents containing one or more search terms which have been identified, as of that Friday, as privileged or not relevant to the subject matter of this action.

6. These logs shall contain the Date, Sender or Creator, Recipient or Custodian, Subject Matter, Unique Identifying Number Range for the pages of the document, and the basis for withholding the document.

7. Defendant must complete production of all responsive documents, and in accordance with this court's October 30, 2014, Order (#92) provide a certification of the completeness of the production, by noon Pacific Time on May 1, 2015.

IT IS FURTHER ORDERED that the discovery cut-off date is extended from March 13, 2015 to July 1, 2015; Dispositive Motions are due July 31, 2015 and The Joint Pretrial Order is due September 1, 2015.

DATED this 5th day of March, 2015.

Cam Ferenbach

1                   Attachment A

2

3                   SEARCH TERMS

4                   United States  
5                   existing US client  
6                   existing U.S. client  
7                   US client  
8                   U.S. Client

9

10                  US customer  
11                  U.S. customer  
12                  US passport  
13                  U.S. passport  
14                  U.S.A. passport

15

16                  US position  
17                  U.S. position  
18                  U.S.A. position  
19                  US regulat\*  
20                  U.S. regulat\*

21

22                  US solicitation  
23                  U.S. solicitation  
24                  U.S.A. solicitation  
25                  US withdrawal  
26                  U.S. withdrawal

27

28                  U.S.A. withdrawal  
29                  new US client  
30                  new U.S. client

31                  EACH OF THE FIFTY STATES OF THE UNITED STATES

32                  geoblocking

33

34                  court order  
35                  injunction  
36                  SEC  
37                  US SEC  
38                  U.S. SEC  
39                  U.S.A. SEC

40

41                  Securities and Exchange Commission